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LUIS C. RODRIGUEZ

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,	)	No. 1:05-cr-00063 OWW
	)	
<i>Plaintiff,</i>	)	STIPULATION TO CONTINUE STATUS
	)	CONFERENCE AND RESET MOTION
v.	)	BRIEFING SCHEDULE AND ORDER
	)	THEREON
LUIS C. RODRIGUEZ,	)	
	)	Date: February 7, 2006
<i>Defendant.</i>	)	Time: 9:00 a.m.
	)	Judge: Hon. Oliver W. Wanger
_____	)	

IT IS HEREBY STIPULATED by and between the parties hereto through their respective counsel, DAVID L. GAPP, Assistant United States Attorney, counsel for Plaintiff, and ERIC V. KERSTEN, Assistant Federal Defender, counsel for Defendant Luis C. Rodriguez, that the date for status conference in this matter may be continued to February 7, 2006. It is also requested that a new motion briefing schedule be ordered. It is requested that any additional motions may be filed by January 9, 2006; that any response or opposition may be filed by January 30, 2006; and that status conference and hearing on the motions may be set for February 6, 2006. **The date currently set for status conference is January 9, 2006. The requested new date is February 7, 2006.**

The reason for this request is that Mr. Rodriguez is requesting additional time to possibly file additional motions which may be appropriate, to allow additional time for the government to respond to pending motions, and to allow additional time for further investigation and negotiations which may lead to a negotiated settlement of this case.

The parties agree that the delay resulting from the continuance shall be excluded as necessary for effective defense preparation pursuant to 18 U.S.C. § 3161(h)(8)(B)(iv), and for the filing of pretrial motions and ruling thereon pursuant to 18 U.S.C. §§ 3161(h)(1)(F).

McGREGOR W. SCOTT  
United States Attorney

DATED: January 5, 2006

By /s/ David L. Gappa  
DAVID L. GAPPA  
Assistant United States Attorney  
Attorney for Plaintiff

DENNIS S. WAKS  
Acting Federal Defender

DATED: January 5, 2006

By /s/ Eric V. Kersten  
ERIC V. KERSTEN  
Assistant Federal Defender  
Attorney for Defendant  
Luis C. Rodriguez

**ORDER**

**IT IS SO ORDERED.** The intervening period of delay is excluded in the interests of justice pursuant to 18 U.S.C. §§ 3161(h)(1)(F) and 3161(h)(8)(B)(iv).

DATED: January 9, 2006

/s/ OLIVER W. WANGER  
OLIVER W. WANGER, Judge  
United States District Court  
Eastern District of California